SHRI K. RAHMAN KHAN: Sir, I am a Member of the Public Accounts Committee. The 4th Report of the Committee has not been laid on the Table of the House. I am bringing this matter to the notice of this House.

श्री सभापति : हमारे पास लोक सभा से अभी fourth report नहीं आई है, इसलिए हम lay नहीं कर पा रहे हैं। ...*(Interruptions)* That is right.

REPORT OF THE COMMITTEE ON EMPOWERMENT OF WOMEN

SHRIMATI VANGA GEETHA (Andhra Pradesh): Sir, I lay on the Table a copy (in English and Hindi) of the Eighteenth Report of the Committee on Empowerment of Women (Thirteenth Lok Sabha) on the subject Functioning of Self-Help Groups for Economic Empowerment of Women.

MOTION FOR ELECTION TO THE EMPLOYEES' STATE INSURANCE CORPORATION

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI O. RAJAGOPAL): Sir, on behalf of Shri Sahib Singh Verma, I move the following Motion:

> "That in pursuance of Clause (i) of Section 4 read with Section 5 of the Employees State Insurance Act, 1948 (No.34 of 1948) and Rule 2A of the Employees State Insurance (Central) Rules, 1950, this House do proceed to elect, in such manner as the Chairman may direct, one Member from among the Members of the House to be a member of the Employees State Insurance Corporation "

The question was put and the motion was adopted.

MR. CHAIRMAN: Now, we take up the Interim Budget (General) 2004-2005.

MATTER RAISED WITH PERMISSION

Re. Exoneration of Late Shri Rajiv Gandhi former Prime Minister by the Delhi High Court in the Bofors case

SHRI ARJUN SINGH (Madhya Pradesh): Sir, with your kind permission, I wish to draw the attention of this hon. House to a fact which

has come through the courtesy of the High Court of Delhi. One sentence of this, I want to place before you, Sir It is from the conclusions. "Aforesaid conclusion of facts itself shows that so far as public servants, i.e., late Shri Rajiv Gandhi and late Shri S.K Bhatnagar are concerned, 16 long years of investigation by a premier agency of the country, i.e., the CBI could not unearth a scintilla of evidence against them for having accepted bribe, illegal gratification in awarding the contract in favour of Bofors" This is one sentence, Sir Behind this sentence lies, I must say, in a very, very restrained language because I don't want to raise any controversy, the fact of 17 years' long persecution, nothing sort of that, of a person who was the Prime Minister of this country, who served the nation with all his energy and capacity, as a young man trying to lead this country into the 21st century For 17 long years, he was persecuted, hounded, literally hounded, I think, to his death Rajivji has been vindicated by this judgement today The agony of the family, his children is indescribable I would like this House to put on record that vindication of an individual, whoever he may be, much less than the Prime Minister of this country, is an act in which all of us with grace and concern also concur

SHRI B P SINGHAL (Uttar Pradesh) : Sir, I would like to say something. *.(Interruptions)*

श्री सभापति : नही, नहीं। आप बैठ जाइए। ...(**व्यवधान**)...

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF COMMERCE AND INDUSTRY (SHRI ARUN JAITLEY) Sir, I respect the views which the hon Member Mr Arjun Singh has just now expressed. I do not want to join issue with what is stated in a judgement of a court It is not a convention in this House to do that But I must just place on record that this is a matter which has been pending in courts. The Special Judge took one view, the High Court has taken another view. I have seen in the newspapers the comments of the CBI that they intend to consider whether they should move up to an appropriate court Even on earlier occasions, at least on three occasions, there were adverse judgements by the Delhi High Court against the CBI, even quashing the whole FIR and then the whole chargesheet. The Supreme Court had reversed it on earlier occasions. This, perhaps, from the reaction of the CBI, is not the final view Therefore, I do not think today it is an appropriate occasion for Mr Arjun Singh to raise this . (Interruptions)

श्री सभापति . देखिए, मेरी बात सुनिए। आप इसको छोड़िए। .. (**व्यवधान**)...

SHRI VAYALAR RAVI (Kerala) Sir, we object to what he has said *(Interruptions)* He appeared as a prosecutor *(Interruptions)* .. He took money from the Government. *(Interruptions)* He is a beneficiary of this case. .. *(Interruptions)*

श्री सभापति बैठिए, बैठिए। *(Interruptions)* Please take your seat

SHRI VAYALAR RAVI Sir, he should be dismissed .*(Interruptions).* He took money from the Government. *(Interruptions)* He is a beneficiary *(Interruptions)*

MR CHAIRMAN Please take your seat *(Interruptions)*.

SHRI V NARAYANASAMY(Pondicherry) · It is clear from the statement of the Minister how they respect the judgement of a court. *(Interruptions)*

डा0 अबरार अहमद (राजस्थान) एक निर्दोष पर कीचड़ उछाला इन्होने। इन लोगो को माफी मागनी चाहिए। ...**(व्यवधान)**...

श्री सभापति · ठीक है, ठीक है। आप बैठ जाइए। अपने सेटीमेटस आपने व्यक्त् कर दिए। . .**(व्यवधान)**...

डा0 अबरार अहमद : कीचड़ उछाला इन्होने राजीव गाधी पर । इन्हे माफी मागनी चाहिए। ...**(व्यवधान)**...

SHRI ASHWANI KUMAR (Punjab) The statement of the Minister is full of insensitivity *(Interruptions)*... He appeared in this case as counsel ...*(Interruptions)*. . He should not make a statement like this. .. *(Interruptions)* . This is not a matter of legality but of emotions and sensitivity of the people. ...*(Interruptions)*

SHRI KAPIL SIBAL (Bihar) . Mr. Chairman, Sir, if I *(Interruptions)*...

SHRI ARUN JAITLEY Does Mr. Ashwani Kumar's objection apply to Mr. Kapil Sibal who has been appearing for the accused? .. *(Interruptions)* He says I should not make a statement Is he raising the same objection to what Mr Kapil Sibal, the counsel of the accused, is saying? . *(Interruptions)*

SHRI VAYALAR RAVI You were benefited from the case. *(Interruptions)*

श्री सभापति मेरी एक बात सुन लीजिए।

श्री अर्जुन सिंह जी ने इस मामले को बड़ा ग्रेसफुली रख दिया है। जो ग्रेस इस मामले के साथ होनी चाहिए, वह ग्रेस अर्जुन सिंह जी ने ठीक प्रकार से रख दी है। मैं समझता हूं कि वह ग्रेस रहने दीजिए, इसको कंट्रोवर्शियल मत बनाइए। ...**(व्यवधान)**...

श्री मोती लाल वोरा (छत्तीसगढ़) : सर, लॉ मिनिस्टर ने जो कुछ कहा है ...**(व्यवधान)**...

श्री सभापति : लॉ मिनिस्टर ...**(व्यवधान)**...

श्री गुलाम नबी आज़ाद (जम्मू और कश्मीर) : वह बात तो ठीक है, लेकिन 13 साल ...**(व्यवधान)**...

कई माननीय सदस्य : 13 नहीं 17 साल।

श्री गुलाम नबी आजाद : जब से उनकी डेथ हुई, वे 13 साल तो वापिस नहीं आ सकते। 17 साल वापिस नहीं आ सकते। एक जनरेशन बर्बाद हो गई, एक फेमिली बर्बाद हो गई और एक पार्टी बर्बाद हो गई, उसके लिए कम से कम इस सरकार को सदन से और देश से माफी तो मांगनी चाहिए। ...**(व्यवधान)**...

SHRI V. NARAYANASAMY: Sir, do you agree with the statement of the hon Law Minister? ...*(Interruptions)*

श्री एस0 एस0 अहलुवालिया (झारखड) : जार्ज फर्नान्डीज के लिए क्या कहेगे? ...**(व्यवधान)**... उनको भी निगाह मे रखा जाए। ...**(व्यवधान)**... जयललिता के बारे मे क्या कहेगे? ...**(व्यवधान)**...

SHRI N JOTHI (Tamil Nadu) : Sir, Ms. Jayalalitha has won twin cases .*(Interruptions)*

SHRI KAPIL SIBAL I just want to mention, as a matter of record, that I stand up to speak and want to disclose that I was counsel in the case who argued the matter and there is a ruling of the hon Chairman...

SHRI B.P. SINGHAL Sir, I am on a Point of Order...*(Interruptions)*

SHRI KAPIL SIBAL: One second ...*(Interruptions)*... One second *(Interruptions)*...

SHRI B.P SINGHAL Does any Member...*(Interruptions)* ..

SHRI SURESH PACHOURI (Madhya Pradesh): Under which Rule are you raising the Point of Order?...*(Interruptions)*...

SHRI KAPIL SIBAL. There is a ruling of the Chair that as long as a Member discloses the capacity in which he appeared in his case, he can make a comment on it And, this is the small comment I wish to make I

am grateful to my senior colleague, Shri Arjun Singh, for having raised this issue with the utmost grace. I am a little pained at my good friend, Mr. Jaitley, who should have disclosed, when he got up, that he was counsel for the Government at the time when Bofors was being prosecuted. He chose not to disclose. Well, that does not matter because everybody has knowledge of it But what I am further pained to note is that he started -- he is the Minister of Law and he is yet to look into the matter -- suggesting that in certain previous proceedings the Supreme Court had set aside orders and he knows it very well that those proceedings have nothing to do with the merits of the present case. This is the first time that a court of law has, after discussing the merits, found that there was not a scintilla of evidence even to suspect the giving of commissions to public servants. Now, in this atmosphere, the BJP, having made a political issue out of it for the last fifteen or sixteen years and for the Minister now to stand up and contradict the judicial verdict is very unfortunate.

MR. CHAIRMAN: There is no contradiction.

SHRI KAPIL SIBAL: Yes. He has said it He said, 'We have to look at the rights and wrongs and we will see as to what is to be done.' That is what he has said...(*Interruptions*)...Is it fair?...(*Interruptions*)..

MR CHAIRMAN: There was no contradiction.

SHRI KAPIL SIBAL: Sir, as of today, there is no charge. As of today Rajiv Gandhi's soul will rest in peace because there is no charge for having accepted anything and sixteen long years of calumny has led to this vindication and we are proud of the fact that we stand here, today, for a man who gave his life for this country and we do not care about the petty comments that other people make on this.

SHRI DATTA MEGHE (Maharashtra) : Sir, I associate myself with the views expressed by my friend, Mr. Sibal. Thank you.

MR CHAIRMAN: Now, let us take up Interim Budget. Mr. Pranab Mukherjee will initiate it.

THE INTERIM BUDGET (GENERAL) 2004-05.

SHRI PRANAB MUKHERJEE (West Bengal): Mr. Chairman, Sir, I am to make my observations on the Interim Budget and Vote on Account which